

COPY OF PAPERS
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EXHIBIT A

BARNES & THORNBURG



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February 22, 2002

Kenneth Gandy, Esquire
Woodard, Emhardt, Naughton,
Moriarty & McNeit
Bank One Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204

RECEIVED

JUN 14 2002

OFFICE OF PETITIONS

Re: Purdue Research Foundation
New U.S. Continuation Patent Application
Purified Submucosa Graft Material
Purdue Reference: P-01080.00.US
Our Matter: 3220-69262

Dear Ken:

Enclosed is a copy of the utility patent application for the above-identified invention that we filed in the United States Patent and Trademark Office on January 11, 2002 as a continuation of U.S. application Serial No. 09/798,441 (pending), a divisional of Serial No. 08/916,490, now U.S. Patent No. 6,206,931 assigned to Cook Incorporated, Cook Biotech, Inc., and MED Institute, Inc. The application names Stephen F. Badylak, Michael C. Hiles and Steve A. Kahn as inventors. It has been assigned Serial No. 10/044,031. A copy of the filing receipt is also enclosed. This is the patent application that was mentioned in the letter of February 14, 2002 from Lisa Kuuttila to Mark Bleyer. Mark may have provided you a copy of that letter.

You will note that the patent specification and many of the claims are essentially the same as those in Cook's issued U.S. Patent No. 6,206,931. The present application is based on work conducted by inventors Badylak and Hiles at Purdue and inventor Kahn at DePuy in connection with a DePuy sponsored research program at Purdue's Biomedical Engineering Center.

Among the papers enclosed is a Declaration and Power of Attorney, part 3 of 3, for signature by inventor Mike Hiles. Knowing that Mike is an employee of Cook and that you and your firm represent Cook in patent matters, we thought it most appropriate to send the formal papers requiring Mike's signature through you. Please ask Mike to read the patent application and, if he finds it in order, to sign the Declaration and return it to me for filing in the United States Patent and Trademark Office. We have received a Notice from the Patent Office advising us that the signed Declaration must be filed by the extendable due date of March 31, 2002.

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Kenneth Gandy, Esquire
February 22, 2002
Page Two

Also enclosed is an Assignment of rights in the claimed invention to Purdue Research Foundation. It has been prepared for Mike's signature in line with his obligation to assign inventions made during his work at Purdue to Purdue Research Foundation. It is PRF's contention that the claimed invention was made by Mike and his co-inventors named on the subject application before he left his position at Purdue. Accordingly we ask that you confer with the principals at Cook and Dr. Hiles in this regard and ask that Mike sign the enclosed Declaration and Power of Attorney and the enclosed Assignment (with appropriate notarization) and return those documents to us for filing in the United States Patent and Trademark Office. Ken, I would appreciate receiving notice, too, if Mike is unwilling to (or directed not to) sign the enclosed document.

There is one other point we should mention regarding the subject application. As you know we have an obligation to disclose to the Patent Office all patent and non-patent publications and other facts that a reasonable examiner may consider to be important to the assessment of patentability of the claimed invention. Such other facts include public demonstrations or sales or offers of sales of products pertaining to the invention and any information any of the inventors received from others prior to making the invention. Please advise Dr. Hiles to send us any published articles, patents or other information that he believes to be pertinent to the claimed invention. We will include such information with that received from the other inventors to prepare an Information Disclosure Statement for transmittal to the United States Patent and Trademark Office. That paper should be sent within three months of the filing date so please advise Dr. Hiles to send us that information as soon as possible.

Please do not hesitate to call me if you have any questions in this regard.

Very truly yours,
BARNES & THORNBURG

Steven R. Lammert

SRL:glt
Enclosures
cc: Lisa Kuutila (w/o encls.)
William Kealey, Esq. (w/o encls.)
Steve Manich, Esq. (w/o encls.)

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